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Applicant: Noritaka KITAZAWA, et al. Conf.: 6569
Serial No: 09/846,259 Group: 1625
Filed: May 2, 2001 Examiner: COVINGTON
For: CERTAIN QUINOLINE DERIVATIVES

TERMINAL DISCLAIMER

Assistant Commissioner for Patents
Washington, DC 20231

January 28, 2003

Sir:

Eisai Co., Ltd, (hereinafter "the Assignee")

- residing at ,
- a corporation of Japan, having a principal place of business at 6-10, Koishikawa 4-chome, Bunkyo-ku, Tokyo, Japan,
- a university having an address of ,

represents that it is the true owner of the entire interest of U.S. patent application No. 09/846,259, filed on May 2, 2001, for "CERTAIN QUINOLINE DERIVATIVES", hereinafter the "above-identified application" (which application is a division of U.S. patent application No. 09/367,227, filed on August 11, 1999), by virtue of and as evidenced by an Assignment recorded at the United States Patent and Trademark Office at Reel 10274, Frame(s) 169-172.

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The Assignee hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of U.S. Patent No. 6,448,243 B1, which issued from co-pending Application No. 09/367,227, and hereby agrees that any patent granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,448,243 B1, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, and/or its assigns.

The Assignee does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 6,448,243 B1, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

This Terminal Disclaimer is submitted on behalf of the Assignee by the undersigned, an attorney of record in the above-identified application.

Please charge any fees or credit any overpayment pursuant to 37 C.F.R. § 1.20 to Deposit Account No. 02-2448.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Date: 1-24-2003

By:



Raymond C. Stewart, Reg. No. 21,066


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